UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/727,991	11/30/2000	Chung Liu	PALM-3234	6299

7590   07/23/2004

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EXAMINER
EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 07/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/727,991	LIU, CHUNG
	Examiner	Art Unit	
	Hussein A El-chanti	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07 June 2004_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _27_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-27_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Response to Amendment

1.   This action is responsive to amendment received on June 7, 2004. Claims 1 and

17 were amended. Claims 1-27 are pending examination.

Drawings

2.   Applicant states that formal drawings were filed with the amendment. The office

did not receive formal drawings. Applicant is still required to submit formal drawings.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-12, 16 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated

by Multer et al., U.S. Patent No. 6,671,757 (referred to hereafter as Multer).

As to claim 1, Multer teaches a method of updating a plurality of applications

located on a first electronic device over a communication network including a second

electronic device and third electronic device (see col. 3 lines 32-55 where the second

system represents said first electronic device, the data store represents said second

electronic device and the first system represents said third electronic device),

comprising the steps of:

a) automatically establishing communication between said second and third electronic devices, said third electronic device supporting a first application from said plurality of applications (see col. 4 lines 19-30, where the server represents said second electronic device);

b) at said second electronic device, automatically determining if said third electronic device has a newer version of said first application than the version of said first application located on said first electronic device (see col. 4 lines 19-30);

c) automatically requesting from said third electronic device said newer version of said first application if said third electronic device has said newer version (see col. 4 lines 19-30); and

d) after receiving said new version, automatically storing said newer version of said first application on said first electronic device when synchronizing said first electronic device with said second electronic device, wherein first electronic device is coupled to said second electronic device for synchronization (see col. 4 lines 19-30).

As to claim 2, Multer teaches a method as described in Claim 1, wherein said first electronic device comprises a palm sized computer system (see col. 9 lines 46-67).

As to claim 3, Multer teaches a method as described in Claim 1, wherein said second electronic device comprises a host computer system (see col. 4 lines 19-30).

As to claim 4, Multer teaches a method as described in Claim 1, wherein step d) comprises the further step of docking said first electronic device to a cradle, said cradle coupled to said second electronic device (see fig. 6, 7 and 17 and its corresponding illustration).

As to claim 5, Multer teaches a method as described in Claim 1, wherein said third electronic device dynamically creates said newer version of said first application (see col. 4 lines 5-18).

As to claim 6, Multer teaches a method as described in Claim 1, wherein said third electronic device comprises at least one of the following devices:

a remote server computer system,

a remote computer system,

said second electronic device, and a computer directly coupled to said second device (see col. 3 lines 59-62).

As to claim 7, Multer teaches a method as described in Claim 1, wherein said first application comprises a web clipping application (see col. 7 lines 61-col. 8 lines 10).

As to claim 8, Multer teaches a method as described in Claim 1, wherein said newer version is personalized to a user of said first electronic device (see col. 12 lines 58-col. 13 lines 10).

As to claim 9, Multer teaches a method as described in Claim 1, wherein a conduit program associated with said first application, directs steps a), b), c), and d) (see col. 4 lines 19-30).

As to claim 10, Multer teaches a method as described in Claim 9, wherein said conduit program is activated by synchronizing said first electronic device with said second electronic device, wherein steps a), b), c), and d) occur during the synchronization of said first and second electronic devices (see col. 4 lines 19-30).

As to claim 11, Multer teaches a method as described in Claim 1, wherein steps

a), b), and c) occur before synchronizing said first electronic device with said second

electronic device (see col. 4 lines 19-30).

As to claim 12, Multer teaches a method of creating a personalized and

up-to-date application over a communication network comprising the steps of:

a) receiving at a third electronic device from a second electronic device over said

communication network a request for a newer version of a web clipping application, said

request resulting from synchronizing said second electronic device with a first electronic

device and determining that said third electronic device has said newer version than the

version of said web clipping application located on said first electronic device, said first

electronic device coupled to said second electronic device (see col. 4 lines 19-30,

where the server represents said second electronic device);

b) identifying a user associated with said first electronic device (see col. 35 lines

39-49);

c) accessing information particular to said user (see col. 4 lines 19-30, where the

server represents said second electronic device);

d) dynamically creating an up-to-date web clipping application that is

personalized to said user using said information (see col. 4 lines 19-30, where the

server represents said second electronic device); and

e) sending said personalized and up-to-date web clipping application to said

second electronic device (see col. 7 lines 61-col. 8 lines 10).

As to claim 16, Multer teaches a method as described in Claim 12, wherein a conduit program associated with said web clipping application that is activated when synchronizing said first electronic device with said second electronic device comprises the following steps of:

determining if said third electronic device has said newer version (see col. 35 lines 12-65);

sending said request to said third electronic device (see col. 35 lines 12-65);

sending user identification information to said third electronic device, said user associated with said first electronic device (see col. 35 lines 12-65); and

storing said personalized and up-to-date web clipping application on said first electronic device (see col. 35 lines 12-65).

As to claim 17, Multer teaches a system comprising a first electronic device containing a plurality of applications, a second electronic

device coupled to a communication network, said second electronic device including a processor, a memory unit, and a display screen wherein said memory contains instructions that when executed implement of method of updating said plurality of applications, said method comprising the steps of:

a) automatically establishing communication with a third electronic device coupled to said communication network that supports a first application from said plurality of applications, said establishing communication performed while said first electronic device is not coupled to said second electronic device (see col. 4 lines 19-30, where the server represents said second electronic device);

b) automatically determining if said third electronic device has a newer version of

said first application than the version of said first application located on said first

electronic device (see col. 4 lines 19-30);

c) automatically requesting from said third electronic device said newer version of

said first application if said third electronic device has said newer version (see col. 4

lines 19-30); and

d) after receiving said newer version, automatically storing said newer version of

said first application on said first electronic device when synchronizing said first

electronic device with said second electronic device, wherein first electronic device is

coupled to said second electronic device for synchronization (see col. 4 lines 19-30).

4.   Claims 13-15 and 18-27 do not add or define any additional limitations over

claims 1-12, 16 and 17 and therefore are rejected for similar reasons.

5.   Applicant's arguments filed have been fully considered but they are not

persuasive.

In the remarks, the applicant argues in substance that; A) Multer does not

disclose A) second electronic device, automatically determining if said third electronic

device has a newer version of said first application than the version of said first

application located on said first electronic device B) transferring the entire document to

the first device C) request for a newer version of a web clipping application, said request

resulting from synchronizing said second electronic device with a first electronic device

and determining that said third electronic device has said newer version than the

version of said web clipping application located on said first electronic device, said first

electronic device coupled to said second electronic device

In response to A) Murell teaches a method of checking for updates on a remote

device. When an update is detected, the method synchronizes the content remotely

located devices with the remote server (see abstract). Fig. 3 and Fig. 8 shows a plurality

of devices connected to a storage server. The storage server stores the content of each

device and the difference data of each device. When an update occurs for example on

system B of Fig. 3, the storage device detects the update or difference and then the

storage device synchronizing the system A and system B (see col. 6 and col. 10). The

storage server is interpreted to be the second device that detects the update occurring

on system B "third device" and then the storage server "second device" synchronizes

the content with the content of system A "first device" and therefore Murell meets the

scope of the claimed limitation "second electronic device, automatically determining if

said third electronic device has a newer version of said first application than the version

of said first application located on said first electronic device".

In response to B) Applicant is arguing Murell does not disclose transferring the

entire document to the first device. This limitation is not found in the claims. Claimed

subject matter net the specification is the measure of the invention. Disclosure

contained in the specification cannot be read into the claims.

In response to C) Fig. 3 and Fig. 8 shows a plurality of devices connected to a

storage server. The storage server stores the content of each device and the difference

data of each device. When an update occurs for example on system B of Fig. 3, the

storage device detects the update or difference and then the storage device synchronizing the system A and system B (see col. 6 and col. 10). Each system has a sync engine coupled to the internet (see col. 4 lines 19-30). There is no limitation on the content of the "web clipping" and therefore Murell meets the scope of the claimed limitation "request for a newer version of a web clipping application, said request resulting from synchronizing said second electronic device with a first electronic device and determining that said third electronic device has said newer version than the version of said web clipping application located on said first electronic device, said first electronic device coupled to said second electronic device".

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
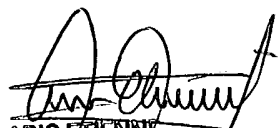
7.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Hussein A El-chanti whose telephone number is
(703)305-4652. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for
the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
Status information for unpublished applications is available through Private PAIR only.
For more information about the PAIR system, see http://pair-direct.uspto.gov. Should
you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

Hussein El-chanti

July 14, 2004

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